

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**CHASTITY SPRAGUE,**

**Plaintiff,**

**vs.**

**Civil Action 2:10-CV-241  
Judge Marbley  
Magistrate Judge King**

**COMMISSIONER OF SOCIAL  
SECURITY,**

**Defendant.**

**ORDER**

Plaintiff, who is proceeding without the assistance of counsel, initiated this action on March 22, 2010. *Motion for Leave to Proceed in forma pauperis*, Doc. No. 1. Plaintiff was expressly advised as to the proper procedure for effecting service of process through the Marshal's Service. *Order*, Doc. No. 3. Plaintiff was also warned that failure to complete service of process within 120 days would result in the dismissal of the action for failure to make timely service of process. *Id.*, citing Fed. R. Civ. P. 4(m).

On July 28, 2010, when it appeared that service of process had not been completed, plaintiff was ordered to show cause why the case should not be dismissed. *Order*, Doc. No. 8. In response, plaintiff indicated that she "will be sending the summons [sic] once again." *Letter from Chastity S. Sprague*, Doc. No. 9. On August 5, 2010, plaintiff was granted an additional 30 days "to complete the paperwork necessary to permit the United states Marshal Service to effect service of process." *Order*, Doc. No. 10.

There is no indication on the record that plaintiff has completed the paperwork necessary to effect service of process in this case.

Almost six months has passed since this case was initiated and service of process has not been completed. Moreover, it does not appear that an additional extension of time to effect service of process is likely to result in the actual service of process. The Court therefore concludes that dismissal of the action, without prejudice, is appropriate.

This action is hereby **DISMISSED**, without prejudice, for failure to effect timely service of process.

The Clerk is **DIRECTED** to enter **FINAL JUDGMENT** in this case.

s/Algenon L. Marbley  
Algenon L. Marbley  
United States District Judge